

SB1176



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB1176

Introduced 2/8/2007, by Sen. Terry Link

SYNOPSIS AS INTRODUCED:

30 ILCS 500/30-30

Amends the Illinois Procurement Code. With respect to Capital Development Board construction contracts in excess of \$250,000 during the next 5 years, provides that the requirement of separate bidding of 5 subdivisions of work does not apply if (i) the Board requests and receives the written approval of the Procurement Policy Board, (ii) the successful bid identifies the subcontractor and proposal cost for each subdivision, and (iii) the resulting contract provides that no identified subcontractor may be terminated without the written consent of the Capital Development Board. Effective immediately.

LRB095 04389 JAM 24434 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Procurement Code is amended by
5 changing Section 30-30 as follows:

6 (30 ILCS 500/30-30)

7 Sec. 30-30. Contracts in excess of \$250,000. For building
8 construction contracts in excess of \$250,000, separate
9 specifications shall be prepared for all equipment, labor, and
10 materials in connection with the following 5 subdivisions of
11 the work to be performed:

12 (1) plumbing;

13 (2) heating, piping, refrigeration, and automatic
14 temperature control systems, including the testing and
15 balancing of those systems;

16 (3) ventilating and distribution systems for
17 conditioned air, including the testing and balancing of
18 those systems;

19 (4) electric wiring; and

20 (5) general contract work.

21 The specifications must be so drawn as to permit separate
22 and independent bidding upon each of the 5 subdivisions of
23 work. All contracts awarded for any part thereof shall award

1 the 5 subdivisions of work separately to responsible and
2 reliable persons, firms, or corporations engaged in these
3 classes of work. The contracts, at the discretion of the
4 construction agency, may be assigned to the successful bidder
5 on the general contract work or to the successful bidder on the
6 subdivision of work designated by the construction agency
7 before the bidding as the prime subdivision of work, provided
8 that all payments will be made directly to the contractors for
9 the 5 subdivisions of work upon compliance with the conditions
10 of the contract. A contract may be let for one or more
11 buildings in any project to the same contractor. The
12 specifications shall require, however, that unless the
13 buildings are identical, a separate price shall be submitted
14 for each building. The contract may be awarded to the lowest
15 responsible bidder for each or all of the buildings included in
16 the specifications.

17 Until a date 2 years after the effective date of this
18 amendatory Act of the 93rd General Assembly, the requirements
19 of this Section do not apply to the construction of an
20 Emergency Operations Center for the Illinois Emergency
21 Management Agency if (i) the majority of the funding for the
22 project is from federal funds, (ii) the bid of the successful
23 bidder identifies the name of the subcontractor, if any, and
24 the bid proposal costs for each of the 5 subdivisions of work
25 set forth in this Section, and (iii) the contract entered into
26 with the successful bidder provides that no identified

1 subcontractor may be terminated without the written consent of
2 the Capital Development Board.

3 Until a date 5 years after the effective date of this
4 amendatory Act of the 94th General Assembly, the requirements
5 of this Section do not apply to the Capitol Building HVAC
6 upgrade project if (i) the bid of the successful bidder
7 identifies the name of the subcontractor, if any, and the bid
8 proposal costs for each of the 5 subdivisions of work set forth
9 in this Section, and (ii) the contract entered into with the
10 successful bidder provides that no identified subcontractor
11 may be terminated without the written consent of the Capital
12 Development Board.

13 Until a date 5 years after the effective date of this
14 amendatory Act of the 95rd General Assembly, the requirements
15 of this Section do not apply to a construction project for
16 which the Capital Development Board is the construction agency
17 if: (i) the Capital Development Board has submitted to the
18 Procurement Policy Board a written request for waiver of the
19 application of the requirements of this Section to that
20 project, including its reasons for requesting the waiver and
21 why the waiver is in the best interest of the State, and the
22 Procurement Policy Board reviews and approves the request in
23 writing before the award of the contract; (ii) the bid of the
24 successful bidder identifies the name of the subcontractor, if
25 any, and the bid proposal costs for each of the 5 subdivisions
26 of work set forth in this Section; and (iii) the contract

1 entered into with the successful bidder provides that no
2 identified subcontractor may be terminated without the written
3 consent of the Capital Development Board.

4 (Source: P.A. 93-1035, eff. 9-10-04; 94-699, eff. 11-29-05.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.